
Publish date:
12/13/12

WQC number: 889-0153A1-WQC-1

Public Notice

Closing Date:
1/13/13

This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it related to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502 564-2320, or submit comments to: Water Quality Certification 2 Hudson Hollow, Frankfort KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow Frankfort, KY 40601

Application for Water Quality Certification for Surface Coal Mining Activities

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the Commonwealth which require federal permit or license are consistent with Kentucky's water quality standards in 401 KAR Chapter 5. The Energy and Environment Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at (502)-564-2320.

1. **Applicant Name:** Oxford Mining Company-Kentucky, LLC
Mailing Address: 3060 Cleaton Road
Central City, KY 42330
Contact Person: Rick Parks
Telephone No: (270) 754-2815 ext. 29
E Mail Address: RParks@oxfordresources.com
2. **Consultant Name & Address:** Wetland Services, 3880 Trigg Turner Rd.
Corydon, KY 42406

Telephone No. (270) 454-0900
E Mail Address: rl@wetlandservices.net
3. **Provide a brief description of the proposed activity and stream impact.**
Oxford is proposing to place fill material in waters of the U.S., including wetlands and streams
in order to develop a new surface coal mining operation to recover coal from the RFA1 surface
mine reserve area. Best management practices will be used to aid in sediment control in the
permit area. All mining areas will be returned to approximate original contour. The life of the
mining operation is projected to be 2-3 years. The surface mining will include complete removal
and replacement of surface material, topography, drainage features, and other water bodies.
4. **Project Location Information:**

County Muhlenberg ; **USGS Quadrangle Name** Central City East

Nearest Community & Road Intersection: Central City & Hwy 70 & Hwy 2107

Longitude 37.26296 **Latitude** -87.09672 (Approximate center of the project area)
5. **List the names of all streams affected by the proposed project:**
See attached.

6. For each affected watershed provide the acreage above the toe of the lowest permanent structure.

Watershed 1: 227-acres

7. For each affected stream provide the linear feet of impact, whether the impact is temporary or permanent and indicate if the stream reach is classified as ephemeral, intermittent, or perennial.

See attached.

8. Provide the acreage of wetlands that would be impacted: 14.3-acres
9. Beginning at the nearest intersection of two public roads, provide directions to the project site:

The permit area is located southeast of Central City, Kentucky. The boundary lies just East of Hwy 431, south of the Wendell H. Ford Western Kentucky Parkway. From east bound on the Western Kentucky Parkway, take the Central City exit, Hwy 431, and proceed south. The entrance is approximately 2-miles, turn left onto St. Hwy 2107. The site gate is approximately 1.5 miles on the right and is marked by a white gate. Check in is required.

10. Has application been submitted to the U.S. Army Corps of Engineers for this project? Yes ☒ No ☐. If yes, indicate type of application:

NW 12 ☐ NW 14 ☐ NW 21 ☐ NW 27 ☐ NW 49 ☐
NW 50 ☐ Individual ☒

11. Provide the following permit numbers associated with this mining activity:
SMCRA Permit No. 889-0153-AM-1, KPDES No. KYG046498

12. The following attachments must be provided:

- a. A watershed map showing all ponds and hollowfills to scale with all intermittent, and perennial stream reaches clearly identified.
- b. A 7.5 minute topographic map delineating the proposed project area.
- c. A copy of the complete Compensatory Mitigation Plan

List all other plans and profiles included with this application:

See attached.

I hereby request approval for construction across or along a stream as described in this application and supporting attachments. All of the information provided with this application is true and accurate to the best of my belief and knowledge.

Applicant's Signature:

See original signed hard copy

, Date: _____

If signed by applicant's agent, attach power of attorney

SUBMIT APPLICATION AND ATTACHMENTS TO:

WQC COORDINATOR
DIVISION OF MINE PERMITS
#2 HUDSON HOLLOW
FRANKFORT, KENTUCKY 40601

ALTERNATIVES ANALYSIS

Criteria: The following tables illustrate the impacts to jurisdictional "Waters of the U.S."

Issue	Measurement and/or Constraint
Wetlands	14.3-acres of direct impact
Intermittent Streams	6,243-ft of direct impact
Ephemeral Streams	4,391-ft of direct impact
Open Waters	2.5-acres of direct impact

The following tables illustrate impacts or avoidance to jurisdictional "Waters of the U.S." by waters type, individual resource segment, size of the resource segment, size of impact to the resource segment, and the specific type of constraint.

Stream	Total Length	Impact	Constraint
7LS1A-5	378	378	Direct – Open Mining
7LS1I	363	363	Direct – Open Mining
7LS1A4-1	238	238	Direct – Open Mining
7MS1D	132	132	Direct – Open Mining
7MS1-8	94	94	Direct – Open Mining
7MS1A2	192	192	Direct – Open Mining
7MS1C1	204	204	Direct – Open Mining
7MS1C1-1	92	92	Direct – Open Mining
7MS1F	661	661	Direct – Open Mining
7LS1J	104	104	Direct – Open Mining
7LS1A1	568	63	Minimization
7MS1A1-1	190	0	Avoidance
7MS1G	503	503	Direct – Open Mining
7MS1C-6	198	198	Direct – Open Mining
7MS1C-7	204	204	Direct – Open Mining
7MS1A4	118	118	Direct – Open Mining
7MS1-3	778	778	Direct – Open Mining
7MS1A-3	462	462	Direct – Open Mining
7NS1E	141	141	Direct – Open Mining
7LS1-7	127	127	Direct – Open Mining
7MS1-6	105	105	Direct – Open Mining
7MS1C-5	221	221	Direct – Open Mining
7MS1C-1	183	183	Direct – Open Mining
7MS1-5	1066	1066	Direct – Open Mining
7MS1H	177	177	Direct – Open Mining
7MS1	301	0	Avoidance
7LS1A	513	300	Minimization
7MS1C-2	133	133	Direct – Open Mining
7MS1C	143	143	Direct – Open Mining
7MS1-1	219	41	Minimization
7MS1B	454	184	Minimization
7MS1A3	167	167	Direct – Open Mining
7LS1C-4	398	398	Direct – Open Mining
7MS1A-2	199	199	Direct – Open Mining
7MS1C-3	231	231	Direct – Open Mining

7MS1A-1	620	620	Direct – Open Mining
7MS1A-4	475	475	Direct – Open Mining
7MS1-4	548	548	Direct – Open Mining
7LS1A1A	210	132	Minimization
7MS1-2	259	259	Direct – Open Mining

Wetland	Total Acres	Impact	Constraint
PFO	6.5	5.6	Direct –Open Mining
PEM	5.7	5.4	Direct – Open Mining
PSS	3.2	3.2	Direct – Open Mining

Open Water	Total Acres	Impact	Constraint
Pond	2.5	2.5	Direct – Open Mining